

Customer Number: 000959



Attorney's  
Docket  
Number SIW-072

## Declaration, Petition and Power of Attorney for Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

START-UP METHOD FOR FUEL CELL

the specification of which

(check one)

is attached hereto.

was filed on November 25, 2003 as

Application Serial No. 10/723,622

and was amended on \_\_\_\_\_  
(if applicable)

I do not know and do not believe that the subject matter of this application was known or used by others in the United States or patented or described in a printed publication in any country before my invention thereof, or patented or described in a printed publication in any country or in public use or on sale in the United States more than one year prior to the date of this application, or first patented or caused to be patented or made the subject of an inventor's certificate by me or my legal representatives or assigns in a country foreign to the United States prior to the date of this application on an application filed more than twelve months (six months if this application is for a design) before the filing of this application; and I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application, that no application for patent or inventor's certificate on the subject matter of this application has been filed by me or my representatives or assigns in any country foreign to the United States, except those identified below, and that I have reviewed and understand the contents of the specification, including the claims as amended by any amendment referred to herein.

I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

## CLAIM OF BENEFIT OF EARLIER FOREIGN APPLICATION(S)

I hereby claim priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below, and have also identified below any foreign application(s) for patent or inventor's certificate filed by me on the same subject matter having a filing date before that of the application(s) from which priority is claimed.

Check one:

no such applications have been filed.  
 such applications have been filed as follows

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED WITHIN 12 MONTHS  
 (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Country	Application Number	Date of Filing (month,day,year)	Priority Claimed Under 35 USC 119
Japan	2002-346335	11, 28, 2002	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Japan	2002-347667	11, 29, 2002	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Japan	2003-363593	10, 23, 2003	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS  
 (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION


**CLAIM FOR BENEFIT OF U.S. PROVISIONAL APPLICATION(S)**

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

---

(Application Serial No.)

---

(Filing Date)

---

(Application Serial No.)

---

(Filing Date)

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, §120 of any earlier United States application(s) or PCT international application(s) designating the United States listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the earlier application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date(s) of the earlier application(s) and the national or PCT international filing date of this application. As to subject matter of this application which is common to my earlier application(s), if any, described below, I do not know and do not believe that the same was known or used by others in the United States or patented or described in a printed publication in any country before my invention thereof, or patented or described in a printed publication in any country or in public use or on sale in the United States more than one year prior to the date(s) of said earlier application(s), or first patented or caused to be patented or made the subject of an inventor's certificate by me or my legal representatives or assigns in a country foreign to the United States prior to the date(s) of said earlier application(s) on an application filed more than twelve months (six months if this application is for a design) before the filing of said earlier application(s); and I acknowledge that no application for patent or inventor's certificate on said subject matter has been filed by me or my representatives or assigns in any country foreign to the United States except those identified herein.

(Application Serial No.)	(Filing Date)	(Status) (patented, pending, aband.)
--------------------------	---------------	---

(Application Serial No.)	(Filing Date)	(Status) (patented, pending, aband.)
--------------------------	---------------	---

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

James E. Cockfield	Reg. No. 19,162	Nicholas P. Triano III	Reg. No. 36,397
Thomas V. Smurzynski	Reg. No. 24,798	Peter C. Lauro	Reg. No. 32,360
Ralph A. Loren	Reg. No. 29,325	DeAnn F. Smith	Reg. No. 36,683
Giulio A. DeConti, Jr.	Reg. No. 31,503	William D. DeVaul	Reg. No. 42,483
Ann Lamport Hammitt	Reg. No. 34,858	David J. Rikkers	Reg. No. 43,882
Elizabeth A. Hanley	Reg. No. 33,505	Chi Suk Kim	Reg. No. 42,728
Amy E. Mandragouras	Reg. No. 36,207	Maria Laccotripe Zacharakis	Limited Recognition
Anthony A. Laurentano	Reg. No. 38,220		Under 37 C.F.R. § 10.9(b)
Jane E. Remillard	Reg. No. 38,872	Debra J. Milasincic	Reg. No. 46,931
Jeremiah Lynch	Reg. No. 17,425	David R. Burns	Reg. No. 46,590
Kevin J. Canning	Reg. No. 35,470	Sean D. Detweiler	Reg. No. 42,482
Jeanne M. DiGiorgio	Reg. No. 41,710	Peter S. Stecher	Reg. No. P47,259
Megan E. Williams	Reg. No. 43,270	Adam M. Goodmann	Reg. No. 43,640

Send Correspondence to Anthony A. Laurentano at Customer Number: 000959 whose address is:

Lahive & Cockfield, LLP, 28 State Street, Boston, MA 02109

Direct Telephone Calls to: (name and telephone number)

Anthony A. Laurentano, (617) 227-7400

Wherefore I petition that letters patent be granted to me for the invention or discovery described and claimed in the attached specification and claims, and hereby subscribe my name to said specification and claims and to the foregoing declaration, power of attorney, and this petition.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Masanori HAYASHI	
Inventor's signature <i>Masanori Hayashi</i>	Date June 15, 2004
Residence Utsunomiya-shi, Japan	
Citizenship Japan	
Post Office Address (if different) c/o K.K. Hon-da Gijutsu Kenkyusho, 4-1, Chuo 1-chome, Wako-shi, Saitama-ken, Japan	

Full name of second inventor, if any Kenichiro UEDA	Date
Inventor's signature <i>Kenichiro Ueda</i>	June 15, 2004
Residence Utsunomiya-shi, Japan	
Citizenship Japan	
Post Office Address (if different) c/o K.K. Hon-da Gijutsu Kenkyusho, 4-1, Chuo 1-chome, Wako-shi, Saitama-ken, Japan	

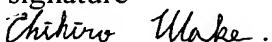
Full name of third inventor, if any Yoshio HOSONO	Date
Inventor's signature <i>Yoshio Hosono</i>	June 15, 2004
Residence Utsunomiya-shi, Japan	
Citizenship Japan	
Post Office Address (if different) c/o K.K. Hon-da Gijutsu Kenkyusho, 4-1, Chuo 1-chome, Wako-shi, Saitama-ken, Japan	

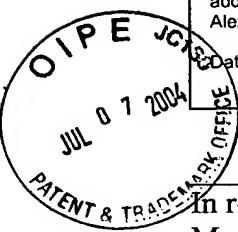
Full name of fourth inventor, if any Minoru UOSHIMA	Date
Inventor's signature <i>Minoru Uoshima</i>	June 15, 2004
Residence Utsunomiya-shi, Japan	
Citizenship Japan	
Post Office Address (if different) c/o K.K. Hon-da Gijutsu Kenkyusho, 4-1, Chuo 1-chome, Wako-shi, Saitama-ken, Japan	

Full name of fourth inventor, if any Junji UEHARA	Date
Inventor's signature <i>Junji Uehara</i>	June 15, 2004
Residence Utsunomiya-shi, Japan	
Citizenship Japan	
Post Office Address (if different) c/o K.K. Hon-da Gijutsu Kenkyusho, 4-1, Chuo 1-chome, Wako-shi, Saitama-ken, Japan	

Full name of fourth inventor, if any Tomoki KOBAYASHI	Date
Inventor's signature 	June 15, 2004
Residence Utsunomiya-shi, Japan	
Citizenship Japan	
Post Office Address (if different) c/o K.K. Hon-da Gijutsu Kenkyusho, 4-1, Chuo 1-chome, Wako-shi, Saitama-ken, Japan	

Full name of fourth inventor, if any Yuji MATSUMOTO	Date
Inventor's signature 	June 15, 2004
Residence Shioya-gun, Japan	
Citizenship Japan	
Post Office Address (if different) c/o K.K. Hon-da Gijutsu Kenkyusho, 4-1, Chuo 1-chome, Wako-shi, Saitama-ken, Japan	

Full name of fourth inventor, if any Chihiro WAKE	Date
Inventor's signature 	June 15, 2004
Residence Shioya-gun, Japan	
Citizenship Japan	
Post Office Address (if different) c/o K.K. Hon-da Gijutsu Kenkyusho, 4-1, Chuo 1-chome, Wako-shi, Saitama-ken, Japan	



I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EL 982 742 562 US, in an envelope addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: July 7, 2004

Signature: 

(Anthony A. Laurentano)

Docket No.: SIW-072

(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Masanori Hayashi *et al.*

Application No.: 10/723622

Confirmation No.: 1078

Filed: November 25, 2003

Art Unit: N/A

For: START-UP METHOD FOR FUEL CELL

Examiner: Not Yet Assigned

### DESIGNATION OF RECORD ATTORNEYS

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. 1.32(b) the following patent practitioners named in the Power of Attorney filed in this case are to be recognized by the Office as being of record in the above referenced application and in any patent issued thereon.

James E. Cockfield	Reg. No. 19,162
Anthony A. Laurentano	Reg. No. 38,220
Kevin J. Canning	Reg. No. 35,470
David R. Burns	Reg. No. 46,590
Sean D. Detweiler	Reg. No. 42,482

Applicants believe no fee is due with this statement. However, if a fee is due, please charge our Deposit Account No. 12-0080, under Order No. SIW-072 from which the undersigned is authorized to draw.

Dated: July 7, 2004

Respectfully submitted,

By Anthony A. Laurentano  
Anthony A. Laurentano  
Registration No.: 38,220  
LAHIVE & COCKFIELD, LLP  
28 State Street  
Boston, Massachusetts 02109  
(617) 227-7400  
(617) 742-4214 (Fax)  
Attorney/Agent For Applicant